## IN THE SUPREME COURT OF TEXAS

Misc. Docket No. <u>92-0060</u>

## RELATING TO THE RETENTION AND DISPOSITION OF EXHIBITS BY THE DISTRICT CLERK OF HARRIS COUNTY

## **ORDERED:**

Pursuant to Rule 14b, Texas Rules of Civil Procedure, exhibits shall be retained the District Clerk of Harris County as required by law unless disposed of as allowed by this Order or this Court's general Order effective January 1, 1988.

In any case –

- (1) in which judgment was rendered upon service of process by publication and signed prior to January 1, 1987, and in which no motion for new trial was filed within two years after judgment was signed, or
- (2) in which judgment was signed prior to January 1, 1985, and in which no appeal was perfected or in which a perfected appeal was dismissed or concluded by final judgment as to all parties and the issuance of the appellate court's mandate such that the case is no longer pending on appeal or in the trial court —

the District Clerk of Harris County may dispose of all exhibits beginning in the third month after the month in which notice of the Clerk's intention to do so is published conspicuously in the *Texas Bar Journal*, except materials which, prior to disposition, the Clerk has received a written notice to withdraw, identifying the case number, the style of the case, and the materials to be withdrawn. SIGNED AND ENTERED this 25th day of February, 1992.

Thomas R. Phillips, Chief Justice

1 G K Raul A. Gonzalez, Justice

Oscar H. Mauzy, Justice

Eugene-A. Cook, Justice

ack Hightower, Justice

Nathan L. Hecht, Justice

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Lloyd Doggett, Justice

John Cornyn, Justice

Bob Gammage, Justice